

### **Remarks**

Claims 1, 8, 10, 17, 18, 24, 25 and 41 have been amended, claims 26, 27, 42 have been canceled and new claims 46-54 have been added. Review and reconsideration in light of the amendments and the remarks below are respectfully requested.

Claim 41 has been amended to address the objection thereto. Claims 8 and 10 have been amended to improve the clarity of those claims.

Claims 1-6, 8-11, 15-18, 21, 24-30, 32, 33, 35, 36, 38, 39, 40, 41 and 43 are rejected as being anticipated by U.S. Pat. No. 4,603,995 to Vilona. Accordingly, claim 1 has been amended to specify that the binding mechanism is permanently positioned between the first and second edges of the spine. In contrast, as can be seen in Figs. 1 and 3 of Vilona, the binding mechanism 14 of that reference is not positioned between the first and second edges 24, 26 of the spine 22. Thus it is submitted that the subject matter of amended claim 1 is not shown in the Vilona reference.

Independent claim 24 has been amended to specify that the binding mechanism is directly coupled to the spine. In contrast, in the device of the Vilona reference the binding mechanism is directly coupled to the front cover 20, and is not directly coupled to the spine 22. Thus it is submitted that the subject matter of amended claim 24 is not shown in the Vilona reference.

Claim 42 is indicated to include allowable subject matter. Accordingly, claim 25 has been amended to include the subject matter of claim 42 (and intervening claims 26 and 27) and claims 26, 27 and 42 have been canceled.

Independent claim 44 is indicated to be allowed. Accordingly it is submitted that each of independent claims 1, 24, 25 and 44 are now allowable.

New claim 47 depends from claim 1 and specifies that the binding mechanism is directly coupled to the spine and is not directly coupled to the front cover or to the rear cover to further distinguish over the Vilona reference. New claims 48 and 52 depend from claims 24 and 25, respectively, and include similar limitations.

The rejection of claim 40 (which depends from claim 6) is respectfully traversed. Claim 40 specifies that the binding mechanism is positioned relative to the spine when the binder is in the closed position, and wherein the binding mechanism is in the same position relative to the spine when the binder is in the display position. In contrast, in the Vilona reference the binding

mechanism is positioned above the spine when the binder is in the closed position, and is positioned below the spine when the binder is in the display position. It is noted that claim 42, which includes similar subject matter to claim 40, has been indicated to include allowable subject matter. Accordingly it is submitted that claim 40 also further patentable distinguishes over the cited references.

New claim 49 depends from claim 24 and includes some subject matter that is similar to claim 40 and (canceled) claim 42.

New claim 46 depends from claim 1 and specifies that when the front cover is directly or indirectly attached to the rear cover to form the self-supporting binder and the binder is positioned on a support surface the binder is in a self-supporting configuration wherein the binder has a generally triangular shape in end view. Claim 46 also specifies that the binding mechanism is located closer to one of the edges of the spine than the other one of the edges when the binder is in the self supporting configuration such that papers bound to the binding mechanism can lie against one of the covers in a generally flat manner substantially without any creases in the pages caused by lying over a junction of the spine and the one of the covers. Claim 46 also specifies that the generally planar spine is aligned in a plane that is generally parallel to the support surface when the binder is in the self-supporting configuration. Thus new claim 46 includes subject matter that is similar to that included in claim 44, which is allowed.

New claim 50 depends from claim 24 and includes limitations similar to those discussed above in the context of claim 46.

New claim 51 depends from claim 24 and specifies that the binding mechanism is permanently positioned between the first and second edges of the spine.

New claim 53 depends from claim 25 and includes limitations similar to claims 44 and 46.

New claim 54 depends from claim 25 and includes limitations similar to those added to claim 1.

Claim 17 has been amended to specify that the binding mechanism is located generally adjacent to one of said edges such that a display sheet bound in the binding mechanism lies over the one of the edges of the spine and lies generally flat and parallel with one of said front or rear

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Docket No.: 100041-41178  
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covers when said binder is in a display position. In contrast it is submitted that this feature is not shown in the cited references. Claim 30 has been amended in a similar manner.

Accordingly, it is submitted that the application is now in a condition for allowance, and a formal notice thereof is respectfully solicited.

The applicant(s) hereby authorizes the Commissioner under 37 C.F.R. §1.136(a)(3) to treat any paper that is filed in this application which requires an extension of time as incorporating a request for such an extension. The Commissioner is authorized to charge any additional fees required by this paper or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,



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Date: December 6, 2006